

**Congress of the United States**  
**Washington, DC 20515**

June 28, 2018

The Honorable Jeff Sessions  
Attorney General of the United States  
U.S. Department of Justice  
Robert F. Kennedy Department of Justice Building  
Constitution Avenue NW  
Washington, DC 20530

The Honorable Kirstjen Nielsen  
Secretary  
U.S. Department of Homeland Security  
300 7<sup>th</sup> Street SW  
Washington, DC 20024

The Honorable Alex M. Azar, II  
Secretary  
U.S. Department of Health and Human Services  
330 C Street SW  
Washington, DC 20416

Dear Attorney General Sessions, Secretary Nielsen, and Secretary Azar:

We write to request an explanation of the immediate steps you are taking to comply with the U.S. District Court's preliminary injunction in *Ms. L et al v U.S. Immigration and Customs Enforcement et al*. In its decision, the court found that the allegations in the lawsuit "sufficiently describe government conduct that arbitrarily tears at the sacred bond between parent and child" and "are sufficient to show the government conduct at issue "shocks the conscience" and violates Plaintiffs' constitutional right to family integrity.<sup>1</sup>

Many of the families seeking protection at the U.S. border are fleeing horrific violence and have legitimate requests for asylum—a protection long enshrined in U.S. law. As the court also stated, "we are a country of laws, and of compassion. We have plainly stated our intent to treat refugees with an ordered process, and benevolence, by codifying principles of asylum."<sup>2</sup>

Separating families as a punishment for seeking a safe future for themselves and their children through lawfully-established channels is abhorrent and can lead to permanent harm to the health and well-being of these children. A 2016 report from a DHS Advisory Committee on Family Residential Centers recognized this, concluding it is never in the best interest of a child to be detained because of immigration status.<sup>3</sup>

Under the court's injunction, the government has, at most, 30 days to reunite families separated as a result the 'zero tolerance' policy that criminalizes victims of violence, endangers child welfare. Please respond immediately with a description of the processes that will be implemented to comply with the injunction, including specific answers to the following questions:

---

<sup>1</sup> *Ms. L v. ICE Order Granting Plaintiffs' Motion for Classwide Preliminary Injunction* (June 26, 2018) available at: <https://www.aclu.org/legal-document/ms-l-v-ice-order-granting-plaintiffs-motion-classwide-preliminary-injunction>

<sup>2</sup> *Ibid*.

<sup>3</sup> Report of the DHS Advisor Committee on Family Residential Centers, Dept. of Homeland Security (Sept. 30, 2016) available at: <https://www.ice.gov/sites/default/files/documents/Report/2016/ACFRC-sc-16093.pdf>

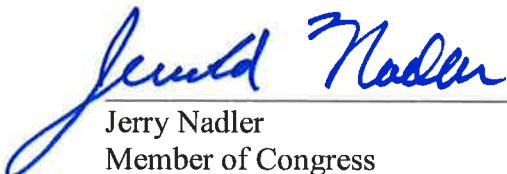
1. Will additional resources or staff be allocated to meet the court order for family reunification? If not, will you be able to comply with the court's order within the prescribed time?
2. Has the government assigned specific units or teams to coordinate the various federal agencies involved in the reunification effort to make sure government complies as soon as possible? If so, please describe.
3. What system is in place to track children in the government's custody?
4. What information is provided to parents to keep them apprised of their children's whereabouts?
5. The ruling stipulates that children under 5 should be reunited with their parents within 14 days. How will the government prioritize reuniting these particularly vulnerable children with their parents?
6. How is the government addressing the needs of preverbal or nonverbal children and how is the government aiding their reunification with parents?
7. As directed by the injunction, is the government giving detained parents the opportunity to speak to their children on the phone within 10 days?

Will all reunited families be kept in family detention until their immigration claims have been resolved? How will this comport with the Flores Agreement?

We thank you for your immediate attention to these questions and look forward to your prompt and detailed response.

Sincerely,

  
Suzanne Bonamici  
Member of Congress

  
Jerry Nadler  
Member of Congress

  
Zoe Lofgren  
Member of Congress



Vicente Gonzalez  
Member of Congress



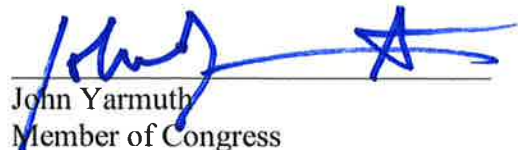
Debbie Dingell  
Member of Congress



Alan Lowenthal  
Member of Congress



Salud O. Carbajal  
Member of Congress



John Yarmuth  
Member of Congress



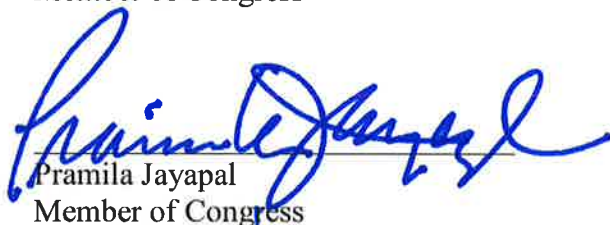
Michelle Lujan Grisham  
Member of Congress



David Scott  
Member of Congress



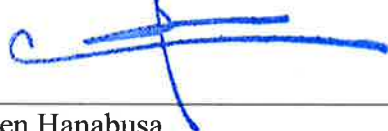
A. Donald McEachin  
Member of Congress



Pramila Jayapal  
Member of Congress



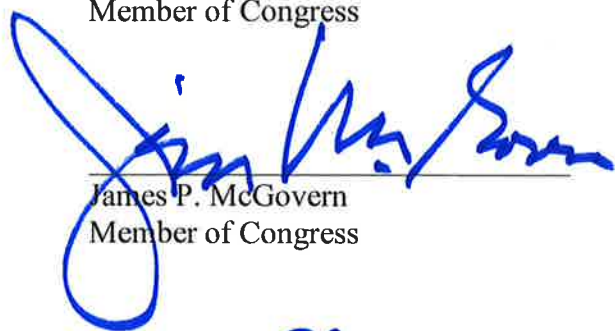
Jacky Rosen  
Member of Congress



Colleen Hanabusa  
Member of Congress



Jamie Raskin  
Member of Congress



James P. McGovern  
Member of Congress




Dan Kildee  
Member of Congress



Mike Thompson  
Member of Congress



Cheri Bustos  
Member of Congress



Seth Moulton  
Member of Congress



Ed Perlmutter  
Member of Congress



Katherine Clark  
Member of Congress



Mark Pocan  
Member of Congress



Darren Soto  
Member of Congress



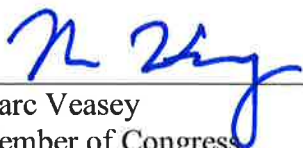
John B. Larson  
Member of Congress



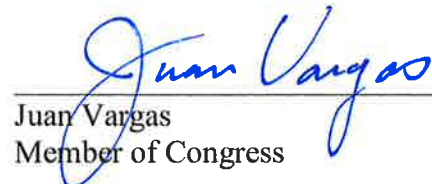
Anthony G. Brown  
Member of Congress



Mark Takano  
Member of Congress



Marc Veasey  
Member of Congress



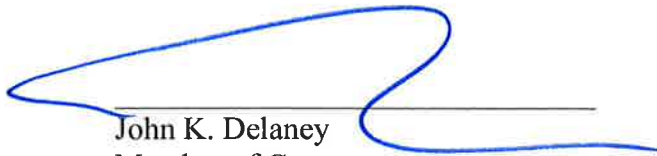
Juan Vargas  
Member of Congress



Grace F. Napolitano  
Member of Congress



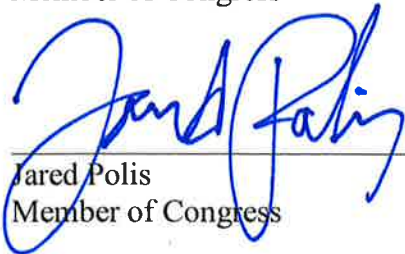
Adriano Espaillat  
Member of Congress



John K. Delaney  
Member of Congress



Norma J. Torres  
Member of Congress



Jared Polis  
Member of Congress



Beto O'Rourke  
Member of Congress



Diana DeGette  
Member of Congress



Rick Larsen  
Member of Congress



Peter A. DeFazio  
Member of Congress



Eleanor Holmes Norton  
Member of Congress



Danny K. Davis  
Member of Congress



Chellie Pingree  
Member of Congress



Sheila Jackson Lee  
Member of Congress



Terri A. Sewell  
Member of Congress



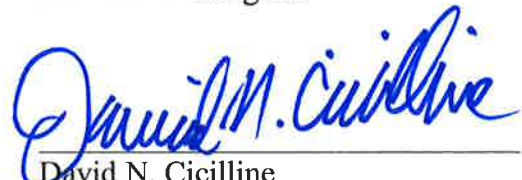
Gregory W. Meeks  
Member of Congress



Henry C. "Hank" Johnson, Jr.  
Member of Congress



Karen Bass  
Member of Congress



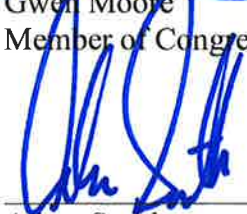
David N. Cicilline  
Member of Congress



Gwen Moore  
Member of Congress



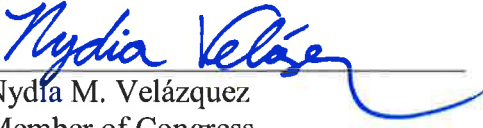
Keith Ellison  
Member of Congress




Adam Smith  
Member of Congress

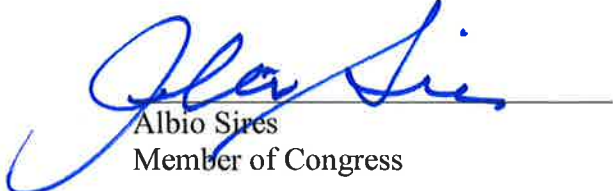


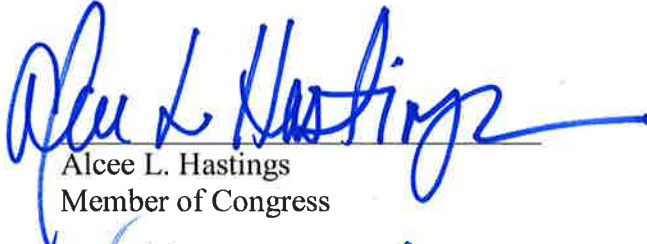
Jerry McNerney  
Member of Congress


  
Nydia M. Velázquez  
Member of Congress

  
Carolyn B. Maloney  
Member of Congress


  
Doris Matsui  
Member of Congress


  
Albio Sires  
Member of Congress

  
Alcee L. Hastings  
Member of Congress

  
Richard M. Nolan  
Member of Congress


  
Steve Cohen  
Member of Congress


  
Luis V. Gutiérrez  
Member of Congress

  
Gregorio Kilili Camacho Sablan  
Member of Congress

  
Judy Chu  
Member of Congress

  
John Garamendi  
Member of Congress

  
Frederica S. Wilson  
Member of Congress

  
Dina Titus  
Member of Congress

  
Gene Green  
Member of Congress

  
José E. Serrano  
Member of Congress

  
Barbara Lee  
Member of Congress



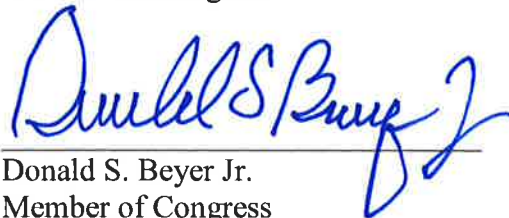
Dwight Evans  
Member of Congress



Earl Blumenauer  
Member of Congress




Debbie Wasserman Schultz  
Member of Congress



Donald S. Beyer Jr.  
Member of Congress



Scott H. Peters  
Member of Congress



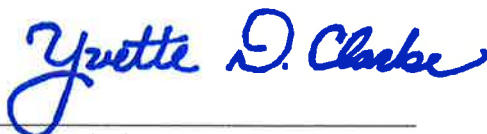
Joaquin Castro  
Member of Congress



Bill Foster  
Member of Congress



Grace Meng  
Member of Congress



Yvette D. Clarke  
Member of Congress

 NC-01


G. K. Butterfield  
Member of Congress



Lucille Roybal-Allard  
Member of Congress



David E. Price  
Member of Congress



Eddie Bernice Johnson  
Member of Congress